

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDWARD SANCHEZ,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.,

Defendant.

Case No. 1:24-cv-3352

**DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S
NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, Defendant Experian Information Solutions, Inc. (“Experian”) hereby files this Notice of Removal of the above-captioned action to this Court on the following grounds:

1. Experian is a named Defendant in Index No. 153154/2024 filed by Plaintiff Edward Sanchez (“Plaintiff”) in the Supreme Court of the State of New York, County of New York (the “State Court Action”).
2. The Summons with Notice in the State Court Action was filed with the Clerk of the Supreme Court of the State of New York, County of New York on April 5, 2024. A true and accurate copy of the Summons with Notice is attached as **Exhibit A**.
3. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff’s initial pleading on April 10, 2024 setting forth the claims for relief upon which Plaintiff’s action is based. A true and accurate copy of the Proof of Service of the Summons with Notice on Experian is attached as **Exhibit B**.

4. This Court is the proper district court for removal because the State Court Action is pending within this district.

5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders filed in the State Court Action are attached hereto as **Exhibits A-B**.

6. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

7. Certain of the claims for relief against Defendant alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* Thus, this Court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a). *See Exhibit A* at 6.

8. Pursuant to 28 U.S.C. § 1367(a), this Court has supplemental jurisdiction over Plaintiff’s other claims for relief arising under the New York Fair Credit Reporting Act, N.Y. GEN. BUS. LAW § 380, *et seq.* (“NY FCRA”), as these claims arise from the same operative facts and form part of the same case or controversy. *See id.*

9. Promptly after the filing of this Notice of Removal, Experian shall provide notice of the removal to Plaintiff through his attorney of record in the State Court Action, and shall file a copy of this Notice with the clerk of the court in the State Court Action, as required by 28 U.S.C. § 1446(d). A true and accurate copy of this Notice is attached as **Exhibit C**.

WHEREFORE, Experian hereby removes this action to this Court.

Dated: May 1, 2024

Respectfully submitted,

/s/ Jonathan P. Floyd

Jonathan P. Floyd

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Attorney for Defendant

Experian Information Solutions, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of May 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, and sent, via U.S. Mail and/or electronic mail, the same to the following party. Service of the foregoing was within the time prescribed by the Rules of the Court.

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/s/ Jonathan P. Floyd
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